Secret. II-67—30,004—24-10-44.

Public (Military) (1946) Department.

M/s SERIES.

Powers
9/6/46 - 15A
10.6.46

G.O. No. 1272
1272

Dated 3/6/'46

[Despatch Abstract.]

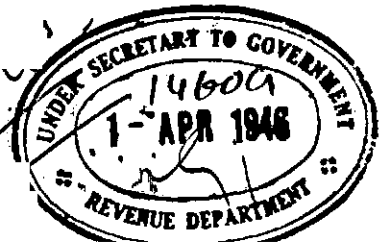
D. of P. Rules — Rule 75A. Powers delegated to the two Dept Collectors in Sindh Karachi & for work connected with de-requisitioning of lands requisitioned for military purposes

16 C1

Ref.No.1906-46.(Spl.) South Kanara Collector's Office,
Mangalore, dated 30th March 1946.

From

Sri K. Rama Varma Raja, B.A
Collector of South Kanara.



To

The Secretary to Government,
Public War Department
Madras

Through

The Secretary to the Board of Revenue, Madras.

Sir,

Defence of India Rules - Rule 75 A - Delegation of powers to the Special Deputy Collector for work connected with de-requisitioning of lands req-uisitioned for Military purpose in South Kanara District - requested.

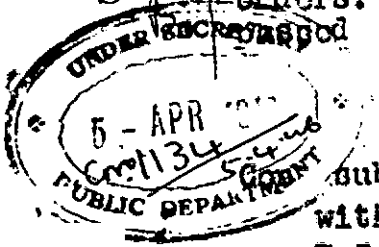
p4 of (c) Ref: 1. Fort St. George Gazette notification dated 4-3-1946 (Revenue Department)

(L) 2. G.O.No.2462(Public, War Department) dated 18-8-44.

A Sri B. Joogappa posted as the Special Deputy Collector for work connected with the de-requisitioning of lands and buildings requisitioned for Military purposes in this District has already joined duty

Fresh delegation of powers under Rule 75 A of the D.O... rules appear necessary to enable him to issue de-requisition orders. I, therefore request that early orders may be passed delegating powers to him.

B



For Collector. 30/3

submitted to the Secretary to Government (Revenue Dept.) with reference to this office Ref.C.1906-46 (Spl.) dated 7-3-46.

A alone. Necessary entries have been made by B. seen in the register

B alone - May be sent to Pub(lic) for necessary action 2 4/4/46 D. A (War)

30/3/46

Revenue 1460 1-4

Public (Dev) Dept

Please see the copy of the letter from the Collr. of S. Kanara and Rev. dept's note on page 1 ante with reg. to post-war marketing & on page 1 ante the recommendation of the Board of Rev. on the letter ~~[illegible]~~ submitted through & may be awaited.

28/4/46

Coll
8/4/46

8/4/46

Memo reminder to the Board of Rev as submitted for approval

Coll
23/4/46.

23/4/46

Public (War-A) Dept

dt 25.4.46

Memo No 1134/46-1 dt 23-4-46.

Sub D.O.I. Rules — Rule 75 A Delegation of powers to the Special Dy. Collector for work connected with de-requisitioning of Lands

Ref — Letter from the Collector of S. Kanara

Ref. No 1906-46 (Spl). dt 30-3-46 to the Secy, Pub (War) Dept

The Secretary to the Board of Revenue is referred to the letter cited above which was sent through him and is requested to say when it will be forwarded to this department with the remarks of the Board of Revenue

No 23/4/46

To. The Secy. Board of Rev. R.O. (8-5-46)

25.4.46

Rec 28/4/46

Cd 23.4.46

C.F. 22.

Revenue Department

From (Name) K.N. Anantharaman, Esq., ICS.,
Designation Joint Secretary, Board of Revenue.
Station Madras.

Received ——— Registered ———

To
The
Secretary to Government
Public (War) Department.

Enclosures: —

Ref. No. W. 1106/46-3 dated 1-5-1946

S. Ranganathan, Esq., OBE., ICS.,
Commissioner of Land Revenue and Irrigation.

Sub: Defence of India Rules - Rule 75A - Delegation of powers to the Special Deputy Collector for work connected with de-requisitioning of lands.

Read: Govt. Public (War) Dept., Memo. No. 1134/46-1 d.23-4-1946.

...

REFERENCE:

The Board submits that the Collector's letter was submitted to the Government in the Revenue Department in the Board's Ref. No. W. 1106/46-1 dated 12-4-46.

for JOINT SECRETARY.

VSK.1-5.

Public (War) Dept

Please see the Boards Reply overleaf. Rev may be requested to put up a copy of the Board's reference and offer their remarks if any.

H/SE
Dy. Sec.

6/5/46

Rev. Dept.

Pub. (War A) 20.

To US.

A copy of the Board's reference referred to above is put up at Page V. The Deputy Director has not offered any remarks on the Board's reference.

113H/46-2
2/5/46.

20960
Secretariat

Revenue No
2095/46-1
7.5.46

GOVERNMENT OF MADRAS
15 MAY 1946
1558
PUBLIC DEPARTMENT

DS
11.5.46

13/5/46 Pub (War)

Copy of Board's Refce. No.W.1106-46-I dated 12-7-46.

Defence of India Rules Procedure -- Derequisitioning of lands etc Further instructions solicited.

Submitted to the Govt.

2. The Board requests that the Govt. may be pleased to direct that the powers conferred on the Provincial Govt. by Rule 75-A of the Defence of India Rules shall be exercisable by the Special Dy. Collector for de-requisitioning appointed in the South Kanara District.

3. It also requests that a form of order of de-requisitioning of land and property may be prepared and got printed for supply to de-requisitioning authorities as there are going to be a large number of cases of de-requisitioning of wide areas in all districts in the course of this year and the next

4. As regards the Collector's presumption regarding termination of lease and payment of compensation, the Board considers that three months notice is reasonable in all cases and that in fairness even if the property is relinquished without the 3 month notice, compensation for 3 months in addition to the lease amount due on the date of relinquishment should be given except in the case of buildings in urban areas for which one month's compensation would suffice.

5. The Collector is informed that his presumption that de-requisition orders will have to be served on individual owners is correct.

40.—AGRICULTURE—*cont.*

Summary by Minor Heads and Sub-heads of appropriation—*cont.*

MINOR HEADS and SUB-HEADS of appropriation.	Accounts, 1944-5.		Budget Estimate, 1945-6.		Revised Estimate, 1945-6.		Budget Estimate, 1946-7.	
	Charged.	Authorised.	Charged.	Authorised.	Charged.	Authorised.	Charged.	Authorised.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
40. f. AGRICULTURAL EXPERIMENTS AND RESEARCH—*cont.*	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
Brought forward ..	..	6,66,275	..	7,87,300		8,29,400	..	8,52,600
HH. SCHEME OF RESEARCH ON STORAGE OF JOWAR ..	..	6,138	..	..	..	..	..	..
J. SCHEME TO CO-ORDINATE THE WORK OF MYCOLOGICAL RESEARCH IN INDIA ..	..	..	..	4,100	..	4,100	..	4,100
K. SCHEME OF RESEARCH ON COCONUTS	..	8,727	..	8,600	..	10,100	..	10,100
L. SCHEME OF SUBSIDISED TRIALS OF SUGARCANE VARIETIES	..	..	..	11,700	..	14,300	..	14,300
M. SCHEME FOR THE CONTROL OF WHEAT RUSTS IN INDIA, ETC.—								
1. PAY OF ESTABLISHMENTS.	..	1,590	..	..	..	..	..	..
2. ALLOWANCES	..	2,225	..	..	..	..	..	..
3. OTHER CHARGES ..	..	247	..	..	..	..	..	..
MM. SCHEME FOR THE CONTROL OF ROOT AND STUMP DISEASES OF CITRUS VARIETIES IN THE BEZWADA TRACT	..	..	..	..	..	13,100	..	10,000
N. SCHEME FOR IMPROVEMENT OF PULSES IN MADRAS—								
1. PAY OF OFFICERS ..	..	7,300	..	7,600	..	7,600	..	7,900
2. PAY OF ESTABLISHMENTS.	..	7,030	..	7,000	..	8,700	..	9,700
3. ALLOWANCES	..	4,292	..	4,400	..	7,100	..	7,100
4. OTHER CHARGES ..	..	7,382	..	7,000	..	8,200	..	8,000
O. SCHEME OF RESEARCH FOR THE INVESTIGATION OF BLAST AND FOOT-ROT DISEASES OF RICE IN MADRAS	..	8,421	..	8,500	..	9,300	..	9,600
OO. SCHEME FOR THE SURVEY OF POLLU AND ROOT DISEASES OF PEPPER	..	2,710	..	..	..	..	..	..
P. SCHEME FOR PRODUCTION OF VIRGINIA TOBACCO SEED.	..	6,189	..	3,000	..	1,300	..	..
PP. SCHEME FOR THE DEMONSTRATION OF THE USE OF TOBACCO SEED OIL AND OF THE SEED CAKE	..	2,564	..	..	..	500	..	..
Q. SCHEME FOR DRY FARMING DEVELOPMENT RESEARCH—								
1. PAY OF OFFICERS ..	..	4,449	..	3,200	..	3,600	..	300
2. PAY OF ESTABLISHMENTS.	..		..	2,800	..	2,200	..	200
3. ALLOWANCES	..	1,444	..	1,300	..	2,400	..	100
4. OTHER CHARGES ..	..	1,009	..	1,100	..	1,600	..	100
Carried over ..	..	7,37,992	..	8,57,600	..	9,23,500	..	9,34,100

BOARD OF REVENUE, MADRAS.

Subject.

Establishment - Temporary - (S.Kanara) - Second Special Deputy Collector for the work connected with the De-requisitioning of lands - Employment - Proposals.

Ref.W.2326/46-1, d/27-4-1946.

From

K. N. Anantaraman Esq., I.C.S.,
Jt. Secretary, Board of Revenue.

S. Ranganathan Esq., O.B.E., I.C.S.,
Commissioner of Land Revenue & Irrigation.

E. Bennett Esq., I.C.S., Commissioner of Land Revenue and Post War Reconstruction.

Read From the Collector of S.Kanara, Ref.C.No.1906/46, dated 19-4-1946.

--

REFERENCE:

Submitted to the Government.

2. The Board recommends the employment of a second special Deputy Collector in the S.Kanara district for a period of 4 months from the date of appointment.

3. The Board agrees to the Collector's proposals in para.2 of his letter cited above about the percentage of fields to be over-checked. It observes that where there is dispute about the valuation or assessment of damage the special Deputy Collector will have to inspect himself.

XX XX XX XX

Sd./ xx xx

for Jt. Secretary.

To the Secretary to Government, Revenue Department (Paras.1-3 only).
" " Collector of South Kanara (Paras. 3 and 4 only).

-- --

Copy of letter Ref.C.No.1906-46(Spl.) dated 19-4-1946 from the Collecto of South Kanara.

Sub: Defence of India Rules - (S.Kanara) - De-requisitioning of lands etc. - Entertainment of special staff - Appointment of another special Deputy Collector - Proposal submitted.

In this Office Ref.C.No.1906-46, dated 25th February 1946 the appointment of a Special Deputy Collector for the de-requisitioning of lands and buildings was proposed for the time being and it was reported that the appointment of another Special Deputy Collector would be applied for in due course, if after the preliminary enquiry, the wo was found too heavy for one Deputy Collector to manage. For the original requisitioning work, three Special Deputy Collectors had been sanctioned in G.O.No.Ms.1588, dated 8th August 1944. The Special Depu Collector now doing the work in Kumbla reports after preliminary inves gation that another Special Deputy Collector is absolutely necessary. extent and number of properties involved are the same, as in the origir work; but whereas the assessment of the gross yield was the primary

(or go not/up 2

P.T.O.

GOVERNMENT OF MADRAS
Abstract

Establishment - Temporary - (South Kanara) - Derequisitioning of lands and buildings - Second Special Deputy Collector - Employment - Sanctioned.

Revenue Department

G.O.Ms.No.1044, dated the 16th May 1946
Read the following:-

From the Board of Revenue, Memo.No.D.2323/46-1, dated 27-4-1946

ORDER:

Sanction is accorded to the employment for a period of four months from the date of appointment of a second special Deputy Collector on Rs.250-50/2-700 per mensem, for work connected with the derequisitioning of the lands and buildings in the South Kanara district.

2. The expenditure should be debited and recovered from the Central Government in accordance with the procedure prescribed in paragraph 4 of G.O.No.1119(C), Revenue, dated 10th November 1945.

3. The Collector of South Kanara is requested to forward a copy of this order to the military authorities at whose instance the derequisitioning work has been undertaken.

4. Government agree with the view expressed by the Board in paragraph 3 of its reference above quoted.

5. Orders posting a second Deputy Collector have been issued in Revenue Department notification dated 29th April 1946.

(By order of His Excellency the Governor)

P.S. Rajagopal,
Secretary to Government.

To the Board of Revenue,
The Collector of South Kanara,
The Accountant-General,
The Public (P.C.) Department,
Copy to D.E.A., (P.C.), Poona,
Copy to 'D' Section', Rev. Estt.,
Copy to Public (War) Department (with enclo.)✓

GOVERNMENT OF MADRAS
18 MAY 1946
PUBLIC DEPARTMENT

/True copy/
Forwarded
(By order)

Superintendent.

MEMO.16/5/46.

Copy of Reference No.W.2326/46-1, dated 27th April 1946, from Board of Revenue, Madras.

Subject:- Establishment-Temporary-(S.Kanara)-Second special Dy. Collector for the work connected with the De-requisitioning of lands-Employment-Proposals.

- - - -

Read:---- From the Collector of S.Kanara. Ref.C.No.1906/46 dated 19-4-46.

REFERENCE:

Submitted to the Government.

2. The Board recommends the employment of a second special Deputy Collector in the S.Kanara district for a period of 4 months from the date of appointment.

3. The Board agrees to the Collector's proposals in para 2 of his letter cited above about the percentage of fields to be overchecked. It observes that where there is dispute about the valuation or assessment of damage the special Deputy Collector will have to inspect himself.

- - - - - - - - -

Copy of letter Reference No.C.No.1906-46 (special) dated 19/4/46, From the Collector of S.Kanara.

- - - - -

Subject:- D.O.I. Rules-(S.Kanara)-De-requisitioning of lands etc.,- Entertainment of special staff-appointment of another special Deputy Collector- Proposal submitted.

- - - -

In this office Ref.C.No.1906-46 dated 25th February 1946 the appointment of a special Deputy Collector for the de-requisitioning of lands and buildings was proposed for the time being and it was reported that the appointment of another special Deputy Collector would be applied for in due course, if after the preliminary enquiry, the work was found too heavy for one Deputy Collector to manage. For the original requisitioning work, three special Deputy Collectors had been sanctioned in G.O.No.Ms.1588, dated 8th August 1944. The special Deputy Collector now doing the work in Kumbla reports after preliminary investigation that another special Deputy Collector is absolutely necessary. The extent and number of properties involved are the same, as in the original work; but whereas the assessment of the gross yield was the primary item of work in the requisitioning stage,, in de-requisitioning the extent of damage in each field and garden, and house, has to be assessed and for that purpose each dead and damaged tree is to be counted and other damages and deterioration noted and estimated with care. It is reported that the Military authorities had leased out the usufruct of trees in the Military block to a contractor who ravaged the properties and pulled out windows, doors, etc. from their frames. All this means detailed inspection. The work involved is thus more laborious and exacting. The monsoon season which is fast approaching is also likely to retart the progress of work to a great extent. According to Government Memo No 5315-G/45-6 (Rev.) dated 16-2-46, complete records should be prepared as to the condition in which the property is handed back, agreements have to be obtained and the work should be pushed through

Extract of notes relating to Revenue C.No.1915.G/46-1.

In the circumstances stated by the Collector of South Kanara, the Board's recommendation may be accepted. The Government may agree with Board's view in para 3 of its reference. The draft overleaf may be approved.

The first Special Deputy Collector already appointed is Mr. B. Joogappa. In anticipation of sanctioning a second Special Deputy Collector for derequisitioning work in the South Kanara District, Mr. P.A. Antony has been posted to that District on return from leave in Revenue Department notification dated 20.4.1946

without delay. About 1,000 areca gardens, 170 pucca buildings 400 mixed gardens, and 4,500 paddy fields have to be inspected. I have discussed the matter with the Special Dy. Collector and agree with him that another Special Deputy Collector is absolutely necessary. I therefore request the sanction and urgent posting of another Special Deputy Collector.

2. The Special Deputy Collector solicits instructions with regard to the per centage of fields which he should overcheck. I am of opinion that it would suffice if 33 per cent of the fields in each village are overchecked by him generally; but if the work of any Special Deputy Tahsildar should be found to be particularly inaccurate a greater portion of his work should be inspected.

/True copy/
(By order)

Superintendent,
Revenue Department.

C.B.S.

15

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/True copy/
(By order)

Superintendent,
Revenue Department.

C.B.S

Extract of notes relating to Revenue C.No.1915.G/46-1.

In the circumstances stated by the Collector of South Kanara, the Board's recommendation may be accepted. The Government may agree with Board's view in para 3 of its reference. The draft overleaf may be approved.

The first Special Deputy Collector already appointed is Mr. B. Joogappa. In anticipation of sanctioning a second Special Deputy Collector for derequisitioning work in the South Kanara District, Mr. P.A. Antony has been posted to that District on return from leave in Revenue Department notification dated 29-4-1946. At the instance of the Collector and the Board the papers asking for delegation of powers under Rule 75 to the first Special Dy.Collector have been sent to Pub.(War) for issue of orders. Similar powers will have to be delegated to the second Spl. Dy. Collector (Mr. P.A. Antony) also after orders are issued in this file. Pub. (War) may see before circulation.

J.P.L.
2/5/46.

Pub.(War) Deptt.

Please see the note of the Rev.Deptt. above. The file referred to at 'A' above is linked. Relevant extracts of this file may be added to the linked file and action taken. This file may be returned to Rev.

Intd. x x
6/5/46.

/True Extract/
(By order)

E Devendaran

Superintendent,
Revenue Department.

0864

19

C.F. 22.

Revenue Department

From (Name) K. N. Anantharaman, Esq., I.C.S.,

Designation Secretary, Bd. of Revenue Madras.

Station S. Ranganathan, Esq., O.B.E., I.C.S.; Commr of Land Revenue & Irrgn.

Received Registered

To

The Secretary to Government, Revenue Department.

Enclosures:

Ref. No. W. 1106/46-4 dated 20th May 1946.

Sir, Sub:- DEFENCE OF INDIA RULES - Derequisitioning of lands etc - Procedure - Further instructions asolicited.

Read:- Board's Reference No. W. 1106/46-1 dated 12-4-1946.
do. do. -2 dated 25-4-46.

REFERENCE

The Board requests early orders.

2. It submits that the question of empowering the Special Deputy Collector to act under the Defence of India Rules may be taken up first as the Collector states that the issue of de- requisitioning orders is being held up.

for SECRETARY.

Copy to the Chief Secretary to Government,
Public (War) Department.
PEERAN. 20/5/46.

20

(pl. see p.1 ante).

Public (War) Deptt

G

The file relating to the delegation of powers under the D.O.I Rules to the special Dy Collector in S. Canara Dist was sent to Rev/Legal with this department's u.o. No. 1134/46-3 dt. 22.5.46. This may be sent to them in connection with the reference by the file may be received but request that the file may be returned urgently.

Pub Wks
No 1134/Int-4
24/5/46

23/5/46.

24/5/46

TO: Rev Dept. Rev./Leg.

This file referred to above was passed on to Revenue Dept with this Dept WONO 2418/46-1 Dt 24.5.46. This may also be sent to Revenue Department.

ASSISTANT SECRETARY TO GOVERNMENT 24406

DB
25/5/46

25-5-46

25/5/46 Legal

Rev WONO 2418/46-1
25.5.46

Legal Dept. 21/3

D.S.

The file referred to at p. 2 ante was sent to Public (War) with This Dept. No. 3549-1 dated 24.5.'46 This may also be sent to them in continuation

HRR. 27/5/46

Public (War)

The main file is now in Circle to HPi This may be filed.

29.5.46.

30/5/46

KA
27/5/46.
Surely this should be in answer to paid-charge to print HRR 29/5

Legal no.

(Military) 23

PUBLIC ~~(WAR)~~ DEPARTMENT.

G.O.Ms.No. 1212 dated 3.6.46.

Sub: Defence of India Rules - Rule 75A - Powers delegated to the two Special Deputy Collectors in South Kanara District for work connected with de-requisitioning of lands requisitioned for military purposes.

ORDER:

The following notification will be published in the Fort St. George Gazette:

NOTIFICATION.

In exercise of the powers conferred by sub-section (5) of section 2 of the Defence of India Act, 1939 (Central Act XXXV of 1939), His Excellency the Governor of Madras hereby directs that the powers conferred on the Provincial Government by rule 75A of the Defence of India Rules shall be exercisable in the South Kanara district also by the two Special Deputy Collectors appointed in G.O.No. ~~1508~~ 1415, Revenue, dated 4

Flag (V)

21

18th March 1946

~~8th August 1944~~ and ~~in~~ G.O.No.1044, Revenue, dated the 16th May 1946, for work connected with the de-requisitioning of lands requisitioned for military purposes in that district.

22/5/46.
Cost
21-5-46.

To the Superintendent,
Government Press,
for publication.
" " Board of Revenue.
" " Collr. of South Kanara.
Copy to Revenue Dept.
" " Govt. of India,
~~Legislative~~ Dept.
" " C.S. with the
Southern ~~Army~~ Comd.

/S.F./

Extract of notes from Revenue file relating to "Establishment - Temporary - De-requisitioning of lands and buildings - Second Special Deputy Collector - Employment - Sanctioned"

A The first Special Deputy Collector already appointed is Mr. B. Joogappa. In anticipation of sanctioning a second Special Deputy Collector for derequisitioning work in the South Kanara district, Mr. P.A.Antony has been posted to that district on return from leave in Revenue Department notification dated 29-4-1946. At the instance of the Collector and the Board, the papers asking for delegation of powers under Rule 75 to the first Special Deputy Collector have been sent to Public (War) for issue M of orders. Similar powers will have to be delegated to the second Special Deputy Collector (Mr. P.A.Antony) also after orders are issued in this file. Public (War) may see before circulation.

E.D.1/5/46.

T.P.L.G. 2/5/46.

PUBLIC (WAR) DEPARTMENT.

Please see the note of the Revenue department above. The file referred to at 'A' above is linked. Relevant extracts of this file may be added to the linked file and action taken. This file may be returned to Revenue.

C.D.J.4/5/46.

P.M.N.6/5/46

Please see the notes above. The file relates to delegation of powers under Rule 75A of the Defence of India Rules to the two Special Deputy Collectors appointed for the work connected with the de-requisitioning of lands requisitioned for military purpose in South Kanara district - please see 'B' on p.1 c.f., the Board's recommendation at 'X' on p.7 c.f. and 'M' above. The first Special Deputy Collector was appointed in G.O. No.1588, Revenue, dated 8/8/1944 and the second Special Deputy Collector in G.O.No.1044, Revenue, dated 16th May 1946. A draft notification is submitted for approval. Revenue and Legal may see before issue.

ASSISTANT SECRETARY 24 MAY 1946 LEGAL DEPARTMENT.

Rev/Legal

Rev Dept:

TOUS.

ASSISTANT SECRETARY TO GOVERNMENT 24 MAY 1946 REVENUE DEPARTMENT

Legal

LEGAL DEPARTMENT

The slight alterations indicated in red ink on the draft notification may be made.

2. Will Public kindly verify whether the Deputy Collector referred to in G.O.No.1588, Revenue, dated 8-8-1944 was appointed for de-requisitioning? If this is not correct, the draft will require modification.

3. The draft implies that only one Deputy Collector was appointed by the G.O. This does not appear to be correct. Public may verify this also.

K.R. 24/5/46

Public (War) Legal 2-03549
24/5/46

Public (War) Deptt

Please see the legal department's note above. It has since been ascertained from Revenue that the two dy. Collectors referred to in G.O. No 1588 Rev dt. 8-8-1944 were appointed for the work connected with the requisitioning of lands in S. Kanara Dt. Subsequently one dy. Collector for de-requisitioning work in S. Kanara Dt was appointed in G.O. No. 415 Rev Dt 1-3-'46 (pl. see the G.O at flag (V)) Hence the reference should be made to the latter G.O. in the draft. The draft has been suitably amended in pencil Rev may see before circulation.

27/5/46

27/5/46
Rev.

Pub (War) A
G.O. 1134 46-5
28-5-46

Rev. Dept

To Govt.

The Govt order as amended may be passed and the file returned

Pub (War).
28/5/46

Pub (War)

UNDER SECRETARY TO GOVT. 2474 28 MAY 1946 REVENUE DEPT.
UNDER SECRETARY 1715 28 MAY 1946 PUBLIC DEPARTMENT
27 MAY 1946 PUBLIC DEPARTMENT